

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fukushima, et al.	Group Art Unit: National Stage Filing
Serial No.: 10/525,096	Examiner:
Filed: 02/18/2005	
Title: <i>Preventive Therapeutic Composition for Muscular Fatigue, Pulled Muscle and Disease Attributed Thereto</i>	Atty. Docket No. SDF 05-3

PETITION UNDER RULE 181 and 182

Commissioner of Patents
and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition requesting that the National Stage filing date of U.S. Serial no. 10/525,096 (International Application No. PCT/JP03/10047) be changed from February 22, 2005 to February 18, 2005.

Enclosed is a copy of "Notification of Missing Requirements" which indicates that the copy of the International Application (This National Stage Application) was filed on 2/22/2005.

On February 18, 2005 the undersigned attorney filed a National Stage application as entitled above along with a Preliminary Amendment, Information Disclosure Statement, and Certificate of Mailing by Express Mail. According to Rule 1.10, correspondence received by the U.S.P.T.O. delivered by express mail to the U.S. Postal Service (USPS) will be considered filed with the U.S.P.T.O. on the date of deposit with the USPS.

RECEIVED
19 SEP 2005

Legal Staff
International Division

Enclosed is a copy of the receipt card stamped by the U.S.P.T.O. listing the enclosure of the National Stage Application along with the Certificate of Mailing by Express Mail.

Also enclosed is a copy of the Certificate of Mailing by Express Mail signed by the undersigned attorney and dated February 18, 2005. An Express Mail mailing label number of EO 907648960 US is included on the Certificate of Mailing.

Also enclosed is a copy of the "Customer Online Record" received from the USPS and having a "date in" of February 18, 2005. The "Online Record" has a Certificate of Mailing number of EO 907648960 US.

Accordingly in as much as the National Stage application as well as accompanying parts were mailed by Express Mail from the USPS on February 18, 2005, the undersigned attorney and petitioner kindly requests that the National Stage application, U.S. Serial No. 10/525,096 be given a National Stage filing date of February 18, 2005.

7/10/2005
Date

Respectfully submitted,

SDF

Stuart D. Frenkel
Reg. No. 29,500

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,096	Fukushima	JP-A0330-AM
INTERNATIONAL APPLICATION NO.		
PCT/JP03/10047		
I.A. FILING DATE		PRIORITY DATE
08/07/2003		08/21/2002
CONFIRMATION NO. 5637 371 FORMALITIES LETTER  *OC000000016494553*		

Date Mailed: 07/12/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/22/2005
- English Translation of the IA filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Copy of IPE Report filed on 02/22/2005
- Preliminary Amendments filed on 02/22/2005
- Information Disclosure Statements filed on 02/22/2005
- Request for Immediate Examination filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005
- Priority Documents filed on 02/22/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,096	PCT/JP03/10047	JP-A0330-AM

FORM PCT/DO/EO/905 (371 Formalities Notice)

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Filed: February 18, 2005

DT07 Rec'd PCT/PTO 2 2 FEB 2005

Preventive Therapeutic Composition for Muscular Fatigue, Pulled Muscle and Disease
Attributed Thereto
Fukushima et al.

Transmittal Letter to the United States DO/EO/US Concerning a Submission
under 35 USC 371

29-page specification

4 Sheets of Drawings

Transmittal Letter

5-page Preliminary Amendment

Transmittal of IDS

Form PTO-1449

2 Cited References

Certificate of Mailing by Express Mail

Check for \$1,050.00

SDF 005-03

February 18, 2005

10 / 525096

BEST AVAILABLE COPY

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Fukushima et al.

Docket No.

JP-A0330-AM

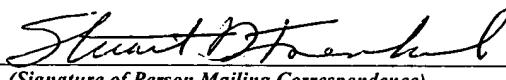
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit
	2/18/2005			

Invention: Preventive Therapeutic composition for Muscular Fatigue, Pulled Muscle and Disease Attributed Thereto

I hereby certify that the following correspondence:

National Stage Application, IDS, Check for \$1050, Preliminary Amendment*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 18, 2005*(Date)*Stuart D. Frenkel*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EO 907 648 960 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

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CUSTOMER Online Record

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Date In Mo. <u>2</u> Day <u>3</u> Year <u>05</u>	<input type="checkbox"/> 12 NOON <input type="checkbox"/> 3 PM	Postage \$17.85
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PHONE <u>703-246-9641</u>	PHONE <u>_____</u> MAIL STOP PCT COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA VA 22313-1450
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